

**GOVERNMENT OF TELANGANA  
ABSTRACT**

Tribal Welfare Department – Telangana State – Adilabad District – Issue of Agency Area Local ST Certificates under GO Ms.No.24 of dt.12.6.2018 of TW (LTR.1) Department – Cancellation of certificate by the Collector & District Megistarte, Adilabad District vide Procs.Rc.No.C3/2596/2019-10, dt.31.01.2020 - Appeal filed by Jadhav Eknath S/o Harichand R/o Dodanda village of Indervelly Mandal of Adilabad District – Appeal allowed – Orders – Issued.

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**TRIBAL WELFARE (LTR) DEPARTMENT**

**G.O.Ms.No.37**

**Date:05.12.2020**

**Read the following:-**

1. GO Ms.No.24, TW (LTR.1) Department, dated 12.6.2018.
2. Procs.Rc.No.C3/2596/2019-10, dt.31.01.2020 of the Collector & District Megistarte, Adilabad District.
3. Appeal petition filed by Jadhav Eknath S/o Harichand R/o Dodanda village of Indervelly Mandal of Adilabad District, dated 20.02.2020.
4. Govt.Memo.No.330/TW.LTR/2020, dated 08.06.2020 & 31.08.2020
5. Lr.Rc.No.D5/309/2018, dated:31.08.2020 of the PO, ITDA, Utnoor, Adilabad District.
6. Note received from the Hon'ble M(STW), C.No.220/N/M(STW&CW)/2020, Dt.21.08.2020.

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**ORDER**

In the reference 1<sup>st</sup> read above, Government have issued detailed guidelines for issue of Agency Area Local Scheduled Tribe Certificates to the local STs living in the Scheduled Areas and procedure to be adopted for cancellation of such certificates in case of fake/bogus claims.

2. In pursuance of the said Government orders under reference 1<sup>st</sup> read above, the Collector & District Megistarte, Adilabad District in her Procs. Rc.No.C3/2596/2019-10, dated 31.01.2020, has issued orders declaring that Sri Jadhav Eknath S/o Harichand R/o Dodanda village of Indervelly Mandal of Adilabad District is not a Local Scheduled Tribe as per definition of G.O.Ms.No.24, TW (LTR.1) Dept. dt.12.06.2018, basing on the findings of the Scrutiny Committee:

- The Tahsildar, Indervelly has issued the LST (Local ST) Certificate vide No.C/494/2019, dt.05.03.2019 without following the rules prescribed in G.O.Ms.No.24, TW (LTR.1) Department, dated 12.06.2018.
- On verification of the documents produced by the applicant, the candidate has failed to prove the continuous residence in agency area prior to 1950.
- On verification of Birth Register of Thadihathnoor village of Narnoor Mandal, the name was entered in Part-II i.e. "Still Births" page of the Register pertains to the year 1978 and it was tried and projected as document of 1949.

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- He also produced unattested & unauthentic photo copy of voter's list of 1959 pertaining to Thadihathnoor village which is unacceptable as it is a true copy & highly suspicious.
- On verification of the land records he has produced the copy of pahani for the year 1969-70 only, but not from 1950.
- The candidate has failed to furnish the documents continuous residing in Agency area from 1950. Further production of fake and fabricated document like the Still Birth Register 1978 is a punishable offence.
- Scrutiny Committee with the above observations has finally concluded that Sri Jadhav Eknath S/o Harichand R/o Dodanda village of Indervelly Mandal of Adilabad District has failed to produce sufficient evidence to prove his continuous residence in Agency Area since 26.01.1950 to till date as per G.O.Ms.No.24, TW (LTR.1) Department, dated 12.06.2018.

3. Aggrieved by the above cancellation orders of the Collector & District Megistarte, Adilabad District, the Appellant Jadhav Eknath S/o Harichand R/o Dodanda Village of Indervelly Mandal, District Adilabad vide ref. 3<sup>rd</sup> read above, has filed an Appeal before the Government under GO Ms.No.24, dt.12.6.2018, praying to set aside orders of the District Collector, Adilabad and allow the Appeal Petition. The contentions of Jadhav Eknath S/o Harichand and the documents submitted along with the Appeal and during hearing on 05.09.2020 are as follows:

- Qualified for the post of Telangana Recruitment Test under Agency Scheduled Tribe Category of Adilabad notified areas during the written examination.
- As per orders in WP No.31426 of 2018 dated 05.09.2018 and also orders in WP No.32413/2018 dated 14.09.2018, provisional selection has been referred to the Scrutiny Committee headed by PO ITDA Utnoor with directions to conduct enquiry as per procedure laid down in GO Ms.No.24, TW (LTR.1) Department, dated 12.06.2018.
- While conducting scrutiny by the committee on 16.11.2019, has verified all the concerned and relevant documents and finally concluded with finding that the Local ST certificate issued by Tahsildar not comes under the purview of GO Ms.No.24, dt.12.06.2018 and the documents produced does not prove the continuous residence in Agency Area prior to 1950.
- The impugned orders of the Dist. Collector dated 31.01.2020 is illegal, improper, contrary to law and standing rules, more particularly it is partial and jeopardy and harassive in nature, therefore, it is liable to be set aside.

- Before agreeing with the findings arrived by the Scrutiny Committee, it is obligatory on the part of the inquiry authority and as well as District Collector, Adilabad to give him an opportunity of hearing before recording its conclusions, but no such opportunity of personal hearing nor any show cause notice regarding cancellation of Local ST certificate has been issued.
- The Scrutiny Committee has miserably failed to ascertain and genuineness of continuous residence in the notified and agency areas and village as mentioned in the documents already submitted.
- In any view of the matter no Birth Register as mentioned "Still Birth" pertaining to the year 1978 has been tried to be projected as document pertaining to the year, 1949 and thus he cannot be found fault for any projected documents with forgery or interpolation in the absence of any discrete enquiry through Inquiry Officer and an opportunity of hearing being afforded to him. In this view of the matter, the impugned orders of Dist. Collector dated 31.01.2020 is liable to be set aside.
- In addition to the relevant documents already furnished, once again he is submitting herewith the documents.

**Documents submitted along with the Appeal and during hearing on 05.09.2020:**

- Family Tree Certificate duly signed by VRO, Dodanda Cluster, Indervelly Mandal and MRI-I, Indervelly – showing Jadhav Deepla S/o Baddu (great grandfather of appellant) who has one son viz., Jadhav Jaithram S/o Deepla (grandfather of appellant). Jadhav Jaithram has two sons viz., 1) Jadhav Harichand (father of appellant) and 2) Jadhav Devidas (paternal uncle and younger brother of father).
- Copy of Register Dafatar Police Patel of Thadihathnoor – translated by K.Raja Ram, Ex-Patwari of Narnoor Mandal and expert in Modi Language Reading and Translation – wherein it was written that on 4.5.1949 Jaithram S/o Deepla was born on 4.5.1949 – this was signed by Tahsildar, Utnoor on 1.1.1950.
- Copy of pahani for the year 1969-1970 showing name of Jaithram S/o Deepla (grandfather of appellant).
- Copy of pahani for the year showing name of Jaithram S/o Deepla (grandfather of appellant).
- Copy of pahani for the year 1984-85 of Dadonda village showing name of Jaithram S/o Deepla (grandfather of appellant) for an extent of 5.00 acres in Sy.No.28/78.

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- Copy of pahani for the year 1994-95 of Dadonda village showing name of Jadhav Jaithram S/o Deepla (grandfather of appellant) for an extent of 5.16 Acres in Sy.No.28/85.
- Copy of pahani for the year 1998-99 of Dadonda village showing name of Jadhav Jaithram S/o Deepla (grandfather of appellant) for an extent of 5.16 Acres in Sy.No.28/85.
- Copy of pahani for the year 2004-05 of Dadonda village showing name of Jadhav Jaithram S/o Deepla (grandfather of appellant) for an extent of 5.16 Acres in Sy.No.28/85.
- Copy of pahani for the year 2011-12 of Dadonda village showing name of Jadhav Jaithram S/o Deepla (grandfather of appellant) for an extent of 5.16 Acres in Sy.No.28/85.
- Copy of pahani for the year 2014-15 of Dadonda village showing name of Jadhav Gunabai W/o Jaithram (grandmother of appellant) for an extent of 5.16 Acres in Sy.No.28/85.
- Copy of PPB bearing No.T13100070119 – Khata No.178 – issued to Smt.Jadhav Gunabai W/o Jaithram (grandmother of appellant) by Tahsildar, Indervelli, showing an extent of 5.1600 Acres in Sy.No.28/85 (inherited) situated in Dodanda village.
- Copy of PPB bearing No.T13100070067 – Khata No.99 – issued to Sri Jadhav Harichand S/o Jaithram (father of appellant) by Tahsildar, Indervelli, showing an extent of 8.2300 Acres in Sy.No.28/58, in Dodanda village.
- Copy of pahani for the year 2017 issued on 6.2.2019 by Tahsildar, Indervelli – showing name of Jadhav Gunabai W/o Jaithram (grandmother of appellant) for an extent of 5.1600 Acres in Sy.No.28/85 in Dodanda village.
- Copy of voter list for the year 1959 of Thadihadapanoor village of Utnoor Taluq attested by Dy.Tahsildar, Asifabad – showing name of Deepla S/o Baddu (great grandfather of appellant) at Sl.No.289 under H.No.22/30 – who was then aged 28 years.
- Copy of voter list for the year 1971 of Dodanda village, Firka: Indervelli, Taluq: Utnoor of 237 Boath Assembly Constituency – attested by MRO office, Indervelli as requisitioned by appellant Jadhav Eknath – name of Jaithram S/o Deepla (grandfather of appellant) and Gannabai W/o Jaithram (grandmother of appellant) were shown at Sl.Nos.183 and 184 under H.No.1-75.
- Copy of voter list for the year 1977 of Dodanda village, Firka: Indervelli, Taluq: Utnoor of 241 Boath Assembly Constituency – attested by Dy.Tahsildar, Indervelli as requisitioned by appellant Jadhav Eknath – name of Jaithram Jadhav S/o Deepla (grandfather of appellant) and Gunnabai W/o Jaithram (grandmother of appellant) were shown at Sl.Nos.133 and 134 under H.No.1-75.

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- Copy of voter list for the year 1988 of Chintakarra, Gattepalli and Dodanda areas – 241 Boath Assembly Constituency – Mandal: Uttoor – showing names of Jadhav Jaithram S/o Deepla (grandfather of appellant), Gunabai W/o Jaithram (grandmother of appellant), Harichand S/o Jaithram (father of appellant) and Kousalibai W/o Harichand (mother of appellant) from Sl.Nos.393 to 396 under H.No.1-6.
- Copy of Certificate bearing No.B/3321/2012, dt.29.12.2012 issued by Tahsildar, Narnoor – wherein it was certified that Sri Jadhav Jaithram S/o Deepla (i.e. grandfather of appellant) R/o Thadihadapnoor village of Narnoor Mandal belongs to ST Lambada and he resided in Thadihadapnoor village of Narnoor Mandal from 1949 to 1967 as per Gram Panchayat Record and after 1967 he went to Dhodanda village of Indravelly Mandal.
- Copy of Agency Certificate bearing Rc.No.C/886/2016, dt.13.12.2016 issued by Tahsildar, Indervelly that the appellant Sri Jadhav Eknath S/o Harichand has been residing at Dodanda village of Indervelly Mandal of Adilabad District. His date of Birth 9.5.1995 year – His forefathers were previously resided at Thadihathnoor village of Narnoor Mandal from 1949 to 1967, after that they migrated to Dodanda village of Indervelly Mandal of Adilabad District which falls within the scheduled area with effect from 26.1.1950 year.
- Copy of Agency Area Local ST Certificate bearing Rc.No.C/494/2019, dt.05.03.2019 issued by Tahsildar, Indervelly Mandal in the format prescribed in GO Ms.No.24, TW (LTR) Department, dt.12.06.2018 – wherein it was certified that the appellant Sri Jadhav Eknath S/o Sri Jadhav Harichand belongs to ST Lambadi ST community and that they have been residing at Dodanda village of Indervelly Mandal of Adilabad district 26.01.1950 which is a notified scheduled village.
- Copy of declaration made by village elders of GP Thadihadapnoor - wherein it was stated that forefathers of Jadhav Eknath S/o Harichand lived in Thadihadapnoor village from before 1950 and the family migrated to Dodanda village in the year 1967.
- Copy of resolution made by GP Thadihadapnoor, Narnoor Mandal – wherein it was resolved that Jadhav Dipla S/o Baddu lived in Thadihadapnoor village from before 1950 and migrated to Indravelly Mandal in 1967.

4. Vide reference 4<sup>th</sup> read above, the District Collector, Adilabad has been requested to submit connected documents pertaining to the case along with para-wise remarks.

5. Accordingly, vide reference 5<sup>th</sup> read above, the PO, ITDA, Uttoor, Adilabad District has submitted connected documents of the case along with para-wise remarks.

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6. Accordingly, vide reference 6<sup>th</sup> read above, the Appellant has attended for hearing on 05.09.2020 at 11.00 AM before the Government and submitted the documents as submitted along with appeal Petition.

7. The following are the observations are made against the findings of the Scrutiny Committee, basing on the documentary evidences available on record and the documentary evidences produced by the Appellant along with the Appeal and during hearing on 05.9.2020.

| Sl. No. | Findings of Scrutiny Committee   | Observations  |
|---------|--|---|
| 1.      | On verification of Birth Register of Thadihathnoor village of Narnoor Mandal, the name was entered in Part-II i.e. "Still Births" page of the Register pertains to the year 1978 and it was tried and projected as document of 1949. | Copy of Register Dafatar Police Patel of Thadihathnoor – translated by K.Raja Ram, Ex-Patwari of Narnoor Mandal and expert in Modi Language Reading and Translation – wherein it was written that on 4.5.1949 Jaithram S/o Deepla was born on 4.5.1949 – this was signed by Tahsildar, Utnoor on 1.1.1950.  |
| 2.      | He also produced unattested & unauthentic photo copy of voter's list of 1959 pertaining to Thadihathnoor village which is unacceptable as it is a true copy & highly suspicious.   | <p>Copy of voter list for the year 1959 of Thadihadapanoor village of Utnoor Taluq attested by Dy.Tahsildar, Asifabad – showing name of Deepla S/o Baddu (great grandfather of appellant) at Sl.No.289 under H.No.22/30 – who was then aged 28 years.</p> <p>Copy of voter list for the year 1971 of Dodanda village, Firka: Indervelli, Taluq: Utnoor of 237 Boath Assembly Constituency – attested by MRO office, Indervelli as requisitioned by appellant Jadhav Eknath – name of Jaithram S/o Deepla (grandfather of appellant) and Gannabai W/o Jaithram (grandmother of appellant) were shown at Sl.Nos.183 and 184 under H.No.1-75.</p> <p>Copy of voter list for the year 1977 of Dodanda village, Firka: Indervelli, Taluq: Utnoor of 241 Boath Assembly Constituency – attested by Dy.Tahsildar, Indravelly as requisitioned by appellant Jadhav Eknath – name of Jaithram Jadhav S/o Deepla (grandfather of appellant) and Gunnabai W/o Jaithram</p> |

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|    |  | <p>(grandmother of appellant) were shown at Sl.Nos.133 and 134 under H.No.1-75.</p> <p>Copy of voter list for the year 1988 of Chintakarra, Gattepalli and Dodanda areas – 241 Boath Assembly Constituency – Mandal: Utnoor – showing names of Jadhav Jaithram S/o Deepla (grandfather of appellant), Gunabai W/o Jaithram (grandmother of appellant), Harichand S/o Jaithram (father of appellant) and Kousalibai W/o Harichand (mother of appellant) from Sl.Nos.393 to 396 under H.No.1-6.</p>   |
| 3. | On verification of the land records he has produced the copy of pahani for the year 1969-70 only, but not from 1950. | <p>Copies of land records produced from the year 1969-70 to till date prove that the appellant, his father and grandfather, father etc. have been continuously living in Dodanda village of Indervelly Mandal from 1967 onwards which is a scheduled village.</p> <p>As seen from the copy of Register Dafatar Police Patel of Thadihathnoor – translated by K.Raja Ram, Ex-Patwari of Narnoor Mandal and expert in Modi Language Reading and Translation – prove that Sri Jaithram S/o Deepla (grandfather of appellant) was born on 4.5.1949 Thadihadapanoor village of Narnoor Mandal.</p> <p>Voter list for the year 1959 of Thadihadapanoor village of Utnoor Taluq attested by Dy.Tahsildar, Asifabad – shows name of Deepla S/o Baddu (great grandfather of appellant) i.e. father of Jaithram – shown at Sl.No.289 under H.No.22/30 – who was then aged at 28 years.</p> <p>Certificate bearing No.B/3321/2012, dt.29.12.2012 issued by Tahsildar, Narnoor – wherein it was certified that Sri Jadhav Jaithram S/o Deepla (i.e. grandfather of appellant) R/o Thadihadapnoor village of Narnoor Mandal belongs to ST Lambada and he resided in Thadihadapnoor village of Narnoor Mandal from 1949 to 1967 as per Gram</p> |

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|  |   | <p>Panchayat Record and after 1967 he went to Dhodanda village of Indravelly Mandal.</p> <p>Copy of Agency Certificate bearing Rc.No.C/886/2016, dt.13.12.2016 issued by Tahsildar, Indravelly that the appellant Sri Jadhav Eknath S/o Harichand has been residing at Dodanda village of Indravelly Mandal of Adilabad District. His date of Birth 9.5.1995 year - His forefathers were previously resided at Thadihathnoor village of Narnoor Mandal from 1949 to 1967, after that they migrated to Dodanda village of Indravelly Mandal of Adilabad District which falls within the scheduled area with effect from 26.1.1950 year.</p> <p>Copy of declaration made by village elders of GP Thadihadapnoor - wherein it was stated that forefathers of Jadhav Eknath S/o Harichand lived in Thadihadapnoor village from before 1950 and the family migrated to Dodanda village in the year 1967.</p> <p>Copy of resolution made by GP Thadihadapnoor, Narnoor Mandal - wherein it was resolved that Jadhav Dipla S/o Baddu lived in Thadihadapnoor village from before 1950 and migrated to Indravelly Mandal in 1967.</p> |
|  | <p>The candidate has failed to furnish the documents continuous residing in Agency area from 1950. Further production of fake and fabricated document like the Still Birth Register 1978 is a punishable offence.</p> | <p>As per the observations against Sl.No.2 and 3 made after scrutiny of the documentary evidences which were either attested or certified by the competent authorities amply prove that the appellant and his forefathers have been continuously residing in the Agency Areas i.e. Thadihadapnoor and Dodanda from before 1950.</p>   |

8. Government after careful examination of the documents available on record sent by the PO, ITDA, Utnoor, Adilabad District, and documents submitted by the Appellant and along with the Appeal Petition, during hearing on 5.09.2020 and also in the light of the interim orders of the Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh passed in IA No.1 of 2018 in WP No.31426 of 2018, dated 5.9.2018 and in IA No.1 of 2018 in WP No.32413 of 2018, dated 14.9.2018, it is found that the

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appellant Jadhav Eknath S/o Harichand and his fore-fathers are the continuous residents of Agency area villages i.e. Thadihadapnoor village of Narnoor Mandal till 1967 and from 1967 to till date Dodanda village of Indervelly Mandal. Therefore, the LSTAC issued by the Tahsildar, Indervelly Mandal bearing R.C.No.C/494/2019, dt.05.03.2019 is treated as genuine and valid.

9. Accordingly, Government hereby set aside orders of the Collector & District Megistarte, Adilabad District in Procs.Rc.No.C3/2596/2019-10, dated 31.01.2020 and allow the Appeal Petition filed by Jadhav Eknath S/o Harichand R/o Dodanda village of Indervelly Mandal of Adilabad District.

10. The Collector & District Megistarte, Adilabad District shall take further necessary action accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)**

**Dr. CHRISTINA Z.CHONGTHU  
SECRETARY TO GOVERNMENT**

To

The Collector & District Megistarte, Adilabad District.

Jadhav Eknath S/o Harichand R/o Dodanda village of Indervelly Mandal of Adilabad District.

Copy to:

- 1.The Secretary, Telangana State Public Service Commission, Hyderabad (for information & necessary action)
- 2.The Project Officer, ITDA Utnoor, Adilabad District (for information & necessary action)
- 3.The District Educational Officer, Adilabad (for information & necessary action)
- 4.The PS to Hon'ble Minister for ST Welfare for information.
- 5.The PS to Secretary (TW)  
SF/SC.

**//FORWARDED :: BY ORDER//**

**SECTION OFFICER**